

Assembly Bill No. 523

Passed the Assembly August 31, 2006

Chief Clerk of the Assembly

Passed the Senate August 30, 2006

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 81450.1 to the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 523, Liu. Community college districts: sale of property.

(1) Existing law authorizes the governing board of a community college district to sell for cash, to the highest bidder, any personal property belonging to the district if the property is not required for school purposes, if it should be disposed of for the purpose of replacement, or if it is unsatisfactory or not suitable for school use.

This bill would specifically authorize the governing board of a community college district to sell, for less than fair market value, a nonprofit educational television station licensed by the Federal Communications Commission (FCC) and located in Orange County that the district deems to be surplus property of the district, to a nonprofit organization seeking a nonprofit educational FCC license for the purpose of qualifying for Corporation for Public Broadcasting grants, if the governing board adopts a resolution, as prescribed.

(2) A provision of the California Constitution requires that a local or a special statute is invalid in any case if a general statute can be made applicable.

This bill would express the finding and declaration of the Legislature that, due to the unique circumstances relating to the proposed sale, by a community college district, of a nonprofit educational television station located in Orange County, a general statute cannot be made applicable, and the enactment, as a special statute, of the provision described in (1) above is therefore necessary.

The people of the State of California do enact as follows:

SECTION 1. Section 81450.1 is added to the Education Code, to read:

81450.1. Notwithstanding any other provision of this article, the governing board of a community college district may sell, for less than fair market value, a nonprofit educational television station licensed by the Federal Communications Commission and located in Orange County that the district deems to be surplus property of the district, to a nonprofit organization seeking a nonprofit educational Federal Communications Commission license for the purpose of qualifying for Corporation for Public Broadcasting grants, if the governing board adopts a resolution stating that the district, for that purpose, will sell or transfer such a property, for less than fair market value, to a nonprofit organization seeking a nonprofit educational Federal Communications Commission license.

SEC. 2. The Legislature finds and declares that, due to the unique circumstances relating to the proposed sale by a community college district of a nonprofit educational television station located in Orange County, a general statute cannot be made applicable, and the enactment of Section 81450.1 of the Education Code by Section 1 of this act as a special statute is therefore necessary.

Approved _____, 2006

Governor